

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF GEORGIA**  
**STATESBORO DIVISION**

REGINALD POWELL,

Petitioner,

v.

TOOMBS COUNTY SUPERIOR  
COURT,

Respondent.

Case No. CV608-004

**REPORT AND RECOMMENDATION**

Reginald Powell filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, but he did not pay the filing fee or move to proceed *in forma pauperis*. (Doc. 1.) On January 23, 2008, the Court instructed petitioner to submit the filing fee or an application to proceed *in forma pauperis* within fifteen days of the date of that order. (Doc. 5.) He has failed to do so. Accordingly, this case should be **DISMISSED** for failure to pay the filing fee. See Rule 3(a), Rules Governing Section 2254 Cases; 28 U.S.C. § 1914(a).

**SO REPORTED AND RECOMMENDED** this 17<sup>th</sup> day of March, 2008.



**UNITED STATES MAGISTRATE JUDGE**  
**SOUTHERN DISTRICT OF GEORGIA**